

1 **Rule 14-206. Officers.**

2 (a) President. The president-elect automatically succeeds to the office of president  
3 pursuant to Article 1, Integration and Management.

4 (b) President-elect; qualifications; voting procedures.

5 (1) A lawyer commissioner who wishes to be considered as a candidate or a  
6 commissioner who wishes to recommend the name of another lawyer in good  
7 standing on active status to be considered as a candidate must notify the Board in  
8 writing no later than January 2. The Board also may consider additional candidates  
9 at its discretion. Any such additional candidates must be nominated by a  
10 commissioner no later than the first regularly scheduled commission meeting after  
11 January 2.

12 (2) The Board must nominate at least one candidate to run for the office of  
13 president-elect from among the names ~~submitted to~~considered by the Board as set  
14 forth above. The Board, by vote, must nominate those running for the office of  
15 president-elect at ~~a~~the first regularly scheduled commission meeting after January  
16 2. Balloting for nomination to run for the office of president-elect will be by secret  
17 ballot except that commissioners not in attendance at the meeting may submit  
18 their vote in writing to the president or executive director.

19 (3) A lawyer elected president-elect succeeds to the office of president and serves  
20 as president with authority to represent the Bar and preside at all meetings of the  
21 Board and the Bar even though the president-elect may not be serving a term as

22 an elected commissioner. A president and president-elect who are not elected  
23 commissioners have the authority to vote on matters brought before the Board. In  
24 the event of a tie vote, the matter at hand shall fail to pass.

25 (4) Ballots must be provided to all active lawyer licensees of the Bar containing the  
26 alphabetized names of the candidates. The ballots must be provided electronically  
27 via email to active lawyer licensees at their email address on record with the Bar  
28 at least 15 days prior to the date on which the election closes. If there is only one  
29 candidate for the office of president-elect, the ballot must be considered as a  
30 retention vote and a majority of those voting must be required to reject the sole  
31 candidate.

32 (A) Ballots must state the date they are due and be submitted no later than  
33 9:59 p.m. Mountain Time on the day the election closes.

34 (B) The successful candidate must be notified by the Executive Director. The  
35 President must then call a meeting of the Board prior to the end of the  
36 annual meeting for the purpose of reorganizing the Board. Public  
37 announcement of election results will be made at the discretion of the  
38 president.

39 (C) The term of the new president-elect must begin when he or she is seated  
40 at the reorganization meeting of the Board.

41 (D) If any day or date set forth above falls on a Saturday, Sunday or holiday,  
42 the act required or time fixed must occur on or run from the next working  
43 day.

44 (5) If there is a dispute as to the validity of the election it must be resolved by the  
45 Board at its first meeting after the election. Any Board member involved in the  
46 dispute must not be entitled to vote. The executive director must give written  
47 notice to each candidate of the hearing on the contested election and each  
48 candidate must have the right to be personally present, to be represented by  
49 counsel and to present proof at the hearing. The Board has the right to inquire into  
50 all matters germane to the election and dispute.

51 (A) The Board may designate a committee from among its members to hear  
52 disputed election matters, but decisions of the committee must not be  
53 effective until approved by the Board. In every contested election hearing,  
54 the Board will have the right to prescribe rules and regulations for the  
55 review or hearing.

56 (B) The decision of the Board is final.

57 (c) Seating new commissioners and officers. The reorganization meeting of the Board  
58 must be called to order by the outgoing president. He or she must first conduct any  
59 unfinished business before the existing Board. Thereafter, the newly-elected  
60 commissioners who have been found qualified and declared elected must be seated

61 as members of the Board. The outgoing president must recognize and seat the new  
62 president and president-elect.

63 (d) Terms of office. The terms of office of the president and president-elect must run  
64 concurrently and must begin at the commencement of the annual convention and run  
65 until their successors have been seated. Notwithstanding the running of the  
66 president's term of office, all official functions of the annual convention must be  
67 presided over by the outgoing president.

68 (e) Duties and temporary absences. The president must preside at all meetings of the  
69 Bar and of the Board, and in the event of any temporary absence, the president-elect  
70 must perform the duties of the president. The president must represent the Bar at all  
71 appropriate functions and must perform such duties and represent the Bar and the  
72 Board as directed by the Board.

73 (f) Vacancies. A vacancy occurs in the office of president or president-elect by reason  
74 of death, resignation, incapacity, retirement, removal, change of residence from Utah,  
75 or upon the incumbent ceasing to be an active lawyer licensee in good standing. A  
76 vacancy must be filled by the Board from among its members by a majority vote by  
77 secret ballot of the remaining Board members. Commissioners not in attendance at  
78 the meeting may submit their vote in writing to the executive director. If a vacancy  
79 occurs in the office of president-elect a president-elect must be nominated and stand  
80 for election under Article 1, Integration and Management and paragraph (b) above.

81 (g) Removal. The president or president-elect may be removed from office by:

82 (1) the vote of nine of the current voting commissioners at a meeting of which  
83 advance notice of the removal vote is given as provided in 14-204(a)(2), provided  
84 that commissioners not in attendance at the meeting may submit their vote in  
85 writing to the executive director; or

86 (2) the vote of a majority of the active lawyer licensees voting in a special election  
87 held for the purpose of consideration of removal. Ballots must be emailed 20 days  
88 after the filing of a petition calling for removal signed by 10% of the active lawyer  
89 licensees. Ballots are due 17 days after emailing and the results tabulated and  
90 announced not more than 45 days after the filing of the petition.

91 *Effective November 1, 2020.*